In the High Court of Uttaranchal, at Nainital.

Contempt Petition No. 2955 of 2005

Vikram Bahal S/o Late Nand Bahal,

R/o Nandan Kanan, Ekta Bihar,

Rahe Murtaja, Rampur, U.P. --- Petitioner.

Vs.

1- Sri Ajay Rautela S.P. City Dehradun.
2- Sri Vinod Kumar Jetha Station Officer, P.S Patel Nagar, Dehradun, Distt. Dehradun.
3- Sri Sarvesh Kumar, Sub Inspector, P.S. Patel Nagar, District Dehradun, I.O. of Crime No. 57 of 2005.
4- Sri Gyan Prakash Saxena S/o Jayanti Prasad Saxena, R/o H.I.G. 7, Phase-II, MDDA Colony, P.S. Patel Nagar, Dehradun ……Respondents.

Sri Arvind Vashist, learned counsel for the petitioners.
Sri I.P. Kohli, in brief, for Sri V.K. Kohli, Senior Advocate, for the respondent Nos. 3 and 4.
Sri K.S. Rautela, learned A.G.A. for respondent Nos. 1 and 2.

Coram: Hon'ble Irshad Hussain, J.
Hon'ble B.S. Verma, J.

Dated: 28-11-2005

(P.C):

Heard Sri Arvind Vashist, learned counsel for the petitioner, Sri I.P. Kohli, holding brief for Sri V.K. Koholi, leared Senior Advocate, for the respondent Nos. 3 and 4 and Sri K.S. Rautela, learned A.G.A. for respondent Nos. 1 and 2.

2- The applicant-petitioner has moved an application indicating that the parties have entered in to a compromise and the matrimonial dispute has ceased to exist. Smt. Shipra Bahel W/o Vikram Bahel has decided to go with her husband to her matrimonial home at Rampur where their children shall be brought by respondent No.4 (Sri Gyan Prakash Saxena) within seven days. Smt. Shipra Bahel has also undertaken to help in withdrawal/ quashing of the proceedings of criminal case No. 1099/2005 pending before the C.J.M. Dehradun and whereas the husband

Vikram Bahel has agreed to withdraw his petition pending in the Family Court, Moradabad under Section 9 of the Hindu Marriage Act. Since the things have been settled amicably prayer was made to dismiss the contempt petition as withdrawn. Considering the above aspects of the matter, we also do not propose to continue with the contempt petition against the alleged contemnors.

3- For the reasons aforesaid the contempt petition is dismissed as withdrawn and the notices against the alleged contemnors are discharged.

(B.S. Verma, J.) **(Irshad Hussain, J.)**

ISB